

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in light of the following discussion is respectfully requested.

Claims 1-9 are presently active in this application, Claims 1, 5, 6, 8 and 9 having been amended by the present amendment.

In the outstanding Office Action Claims 1, 5, 6 and 8 were objected to as including informalities requiring correction; Claims 1-2, 4 and 9 were rejected under 35 USC §102(e) as being anticipated by Higashikawa (U.S. 6,333,138); Claims 3, 5, 6 and 8 were rejected under 35 USC §103(a) as being unpatentable over Higashikawa; and Claims 1-2 and 4-9 were rejected under 35 USC §103(a) as being unpatentable over Shimomura (JP 2001-217173).

In response to the objection to Claims 1, 5, 6 and 8 as including informalities requiring correction, the noted informalities have been corrected herewith. No new matter has been added.

Applicants respectfully traverse the outstanding grounds for rejection on the merit, because in Applicant's view the pending claims patentably define over the cited references, for the reasons next discussed.

First, with respect to Higashikawa, this reference is silent in regard to any disclosure about mask-scan strategy. Instead, Higashikawa relates to multiple image formation using a variable shaped electron beam or a non-variable shaped electron beam, and is directed to the improvement of the method of superposing fields. On the other hand, Applicant's invention relates to a charged-particle beam writer which uses VSB strategy and mask-scan strategy in combination, and is directed to the correction of a proximity effect. Thus, since Higashikawa does not disclose any technology related to the present invention, the outstanding rejection based on this reference is traversed.

On the other hand, Shimomura makes mention of correction of a proximity effect., but fails to disclose how specifically to determine the amount of electron beams used for the purpose of correcting the proximity effect.

In contrast, Applicant's invention prepares pattern data by synthesizing figure data on an EB mask with figure data on a VSB pattern, and on the basis of this pattern data, determines the amount of electron beams to which each point on the specimen is exposed. Only Applicant describes and claims a method which is applied to a charged-particle beam writer wherein VSB strategy and mask-scan strategy are combined and which specifically determines the amount of electron beams used for the correction of the proximity effect. Since Shimomura does not disclose any such teachings, it is respectfully submitted that the outstanding rejection based on Shimomura is likewise traversed.

Consequently, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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